

REMARKS

Claims 49-56, 59-70, 72-78 and 81-92 are pending in the present application.

Applicant wishes to thank Examiner Mehrpour for the Telephone conference held on June 2, 2008, and the Examiner's indication that the present application is allowable with the above-presented amendments to the claims.

Applicants have amended claims 59 and 81 to depend on claims 49 and 70, respectively. Also, Applicant has amended claim 92 to claim a computer readable medium that is encoded with a computer program product. This claim language clearly "defines structural and functional interrelationships between the computer program and the medium which permit the computer program's functionality to be realized, and thus is statutory."¹ Therefore, Applicant submits that the subject matter of amended claim 92 clearly is statutory.

Accordingly, Applicant submits that the present application is now in condition for allowance. If the Examiner believes that any outstanding issues can be resolved through a telephone interview, Applicant respectfully requests the Examiner to contact the undersigned at the telephone number provided below.

¹ See attached page 9 of the USPTO Examination Guidelines for Computer Related Inventions – Final Version.

Applicant believes that no additional fees are due for the subject application. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge Deposit Account No. 04-1105.

Dated: 6/02/08

Respectfully submitted,

/John J. Penny, Jr./

By _____
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